

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **In re A'Ja Dinae' Jones minor**

Docket No. **287430**

L.C. No. **94-313106-NA**

Brian K. Zahra, Judge, acting under MCR 7.211(E)(2), orders:

The motion to strike appellant's brief is GRANTED. Appellant's brief is STRICKEN for appellant's failure to secure the filing of the complete transcript or obtain a settled record as required under MCR 7.210(B)(1)(a) and MCR 7.210(B)(2). Because appellant's brief has been stricken, the appellee's brief on behalf of the minor child is also STRICKEN.

This case is REMANDED to the trial court for settlement of the record with respect to proceedings that were apparently held on February 6, 2008. Appellant's counsel shall initiate proceedings on remand by motion filed within 14 days after the Clerk's certification of this order and the trial court shall determine, by findings made in an order entered within 28 days after the Clerk's certification of this order, whether proceedings were held on the record on February 6, 2008, and if so, whether the proceedings were recorded such that a transcript of the proceedings can be produced. If a transcript can be produced, the trial court's order shall order the responsible court reporter to produce the transcript within 14 days.

If proceedings were held on the record on February 6, 2008, and a transcript of the proceedings cannot be produced, appellant's counsel shall initiate proceedings to settle the record pursuant to MCR 7.210(B)(2) within 14 days after the determination that a transcript cannot be obtained.

Appellant's counsel shall file with the Clerk of this Court any order entered by the trial court on remand within 14 days after entry of the order. Appellant's replacement brief on appeal is due within 21 days after the transcript is filed; 21 days after a settled statement of facts is certified and filed under MCR 7.210(B)(2)(d); or within 21 days after entry of the trial court's order that determines that there were no proceedings held on the record on February 6, 2008. ^ /)



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

February 17, 2009
Date

Sandra Schultz Mengel
Chief Clerk